

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed June 2, 2004. To clarify various aspects of inventive subject matter, Applicants amend Claims 1, 2, 4-6, 9, 10, 25-28, 33, 39, 41, and 42. Applicants also introduce new Claim 43 and cancel Claims 3 and 29 without prejudice or disclaimer. To advance prosecution of this application, Applicants have responded to each notation by the Examiner. Applicants submit that all of the pending claims are allowable over the cited references. Applicants respectfully request reconsideration, further examination, and favorable action in this case.

Subject Matter Indicated as Allowable

Applicants note with appreciation the Examiner's statement that Claims 3-10 and 29-33 contain allowable subject matter and would be allowed if rewritten in independent form. Although Applicants believe all original claims are allowable, to expedite issuance of this application Applicants have rewritten independent Claims 1 and 27 to include elements similar to those from Claims 3 and 29, respectively. Applicants have also rewritten independent Claims 25, 26, and 41 to include elements similar to those from allowed Claim 3. Moreover, Applicants have rewritten independent claims 39 and 42 to include elements similar to those from allowed Claim 29. Accordingly, Applicant respectfully requests reconsideration and allowance of independent Claims 1, 25-27, 39, 41, and 42, and all claims depending therefrom.

Claim Rejections – 35 U.S.C. § 102

The Examiner rejects Claims 1-2, 27-28, and 41-42 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,960,133, issued to Tomlinson ("*Tomlinson*"). Without addressing the veracity of the Examiner's art rejections, and solely for the purpose of advancing this case expeditiously to issuance, Applicants amend independent Claims 1, 27, 41, and 42 to include limitations similar to various aspects of the allowable subject matter contained in Claims 3 and 29. Applicants explicitly reserve the right to traverse some or all of these rejections in another application. Applicants respectfully requests withdrawal of the rejection and full allowance of amended Claims 1, 27, 41, and 42, and all claims depending therefrom.

Claim Rejections – 35 U.S.C. § 103

The Examiner rejects Claims 25-26 and 39 under 35 U.S.C. § 103(a) as being unpatentable over *Tomlinson* in view of U.S. Patent No. 6,449,407 B1 issued to Kiang et al. (“*Kiang*”). The Examiner also rejects Claims 11-13 under 35 U.S.C. § 103(a) as being unpatentable over *Tomlinson*. Without addressing the veracity of the Examiner’s art rejections, and solely for the purpose of advancing this case expeditiously to issuance, Applicants amend independent Claims 25, 26, and 39 to include limitations similar to various aspects of the allowable subject matter contained in Claims 3 and 29. Applicants explicitly reserve the right to traverse some or all of these rejections in another application. Applicants respectfully requests withdrawal of the rejection and full allowance of amended Claims 25, 26, and 39, and all claims depending therefrom.

The Non-Statutory Double Patenting Rejection

The Examiner has rejected Claims 1-13, 25-33, 39, and 41-42 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-42 of U.S. Patent No. 6,493,488 B1 issued to Islam et al. (“*Islam*”), in view of U.S. Patent No. 6,449,407 issued to Kiang et al. (“*Kiang*”). The Examiner provides that a timely filed terminal disclaimer in compliance with 37 C.F.R. 1.321(c) may be used to overcome this provisional rejection. Without conceding the veracity of the Examiner’s provisional rejection under the judicially created doctrine of obviousness-type double patenting, and solely for the purpose of advancing prosecution in this case, Applicants will consider filing a terminal disclaimer upon receiving confirmation that the pending claims are otherwise in condition for allowance.

CONCLUSION

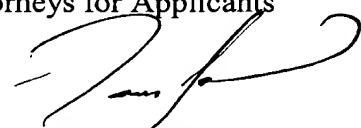
Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending Claims.

Applicants do not believe that any additional fees are due. However, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

If the Examiner feels that a conference would advance prosecution of this Application in any manner, Douglas M. Kubehl stands willing to conduct such a telephone interview at the convenience of the Examiner. Mr. Kubehl may be reached at 214-953-6486.

Respectfully submitted,

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